

REMARKS

Applicants have considered the Final Office Action of January 24, 2008. Claim 1 has been amended. Claims 1-33 and 35-43 are pending. Reconsideration of the remaining claims in this application is requested.

Claims 1-15, 33, and 39-43 were rejected on the ground of nonstatutory obviousness-type double patenting as allegedly being unpatentable over claims 1-13 of U.S. Patent No. 6,866,755 in view of Gratzel (WO 01/02624) and Murdoch (US 5,362,373).

Claims 1-33 and 35-43 were rejected on the ground of nonstatutory obviousness-type double patenting as allegedly being unpatentable over claims 1-32 of copending Application Serial No. 10/485,934.

Applicants traverse the two rejections together.

Applicants note that 10/485,934 was allowed on February 6, 2009. A terminal disclaimer was filed in that application over this application. Thus, a terminal disclaimer over 10/485,934 is not needed in this application. See MPEP § 1490. Applicants hereby submit one Terminal Disclaimer to U.S. Patent No. 6,866,755 to overcome the rejection. Withdrawal of the rejections is requested.

Claims 1-14, 33, and 39-43 were rejected under 35 U.S.C. 102(b) as allegedly being anticipated by Nozik (US 4,011,149). Applicants traverse the rejection.

Claim 1 has been amended to require the use of an artificial light source. Basis for this amendment is clear in the specification. Nozik thus does not anticipate. Nozik teaches away from such a light source because he desires to capture solar radiation. Applicants request withdrawal of the 102(b) rejection.

Claim 15 was rejected under 35 U.S.C. 103(a) as allegedly being obvious over Nozik in view of Gordon (US 4,650,554).

Applicants do not separately traverse this rejection at this time. Claim 1 is believed to be non-obvious, so its dependent claims are non-obvious as well. MPEP § 2143.03; *In re Fine*. Applicants request withdrawal of the rejection.

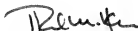
CONCLUSION

For at least these reasons, the pending claims (1-33 and 35-43) are in condition for allowance. Withdrawal of the rejections and issuance of a Notice of Allowance is requested.

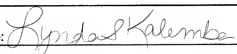
In the event the Examiner considers personal contact advantageous to the disposition of this case, he is hereby authorized to call Richard M. Klein, at telephone number 216-861-5582, Cleveland, OH.

Respectfully submitted,

FAY SHARPE LLP



Richard M. Klein (Reg. No. 33,000)
George P. Huang (Reg. No. 57,945)
The Halle Building, Fifth Floor
1228 Euclid Avenue
Cleveland, OH 44115
(216) 363-9000

| CERTIFICATE OF MAILING OR TRANSMISSION | |
|--|---|
| I hereby certify that this correspondence (and any item referred to herein as being attached or enclosed) is (are) being | |
| <input type="checkbox"/> | deposited with the United States Postal Service as First Class Mail, addressed to: Mail Stop Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date indicated below. |
| <input checked="" type="checkbox"/> | transmitted to the USPTO by electronic transmission via EFS-Web on the date indicated below. |
| | Signature:  |
| Date: 04-29-09 | Name: Lynda S. Kalemba |

N:\B\TZ\200001\3Y3\GXH0001191V001.docx